

REMARKS

Applicant notes with appreciation the Examiner's allowance of Claims 14-19. The Examiner objected to Claim 11 and indicated it would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant has amended Claim 11 in a manner believed to comply with the Examiner's request and as such, believes that Claim 11 is now in a condition for allowance.

Applicant has cancelled all other pending claims (i.e., Claims 1-10, 12, 13 and 23-26) without prejudice and solely to facilitate the expeditious allowance of the present case. Applicant reserves the right to file additional applications directed to one or more of the non-elected and/or rejected claims.

For purposes of completeness, Applicant replies to the Examiner's restriction requirement by explicitly electing Claims 1-22, drawn to a garment. Again, the non-elected claims, Claims 23-26, may be pursued in a separate patent application.

Applicant has addressed the trademark concerns raised by the Examiner with respect to VIAGRA by capitalizing that word where it appears and providing in a parenthetical providing the generic terminology for the drug.

As Applicant has cancelled without prejudice or disclaimer the rejected and/or non-elected claims, the Examiner's claim rejections under §102 and §103 are deemed moot. Applicant respectfully submits, however, that the Playboy article cited by the Examiner is not prior art, nor is any description of articles on the www.jeweledgs.com website appropriate prior art. Again, Applicant desires to expedite prosecution of the present case and there is no explicit or implicit intent to acquiesce to any of the Examiner's anticipation and/or obviousness rejections.

Application No. 10/806,595

Applicant's counsel requests the courtesy of a telephone call from the Examiner if any other issues exist so as to expedite the prompt notice of allowability of this case. Applicant's counsel can be reached directly at (303) 863-2977.

Respectfully submitted,

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